

***Superseded 5/12/2015***

**17-27a-604.5 Subdivision plat recording or development activity before required infrastructure is completed -- Infrastructure completion assurance -- Infrastructure warranty.**

- (1) A land use authority shall establish objective inspection standards for acceptance of a landscaping or infrastructure improvement required by the land use authority as a condition of:
  - (a) subdivision; or
  - (b) development activity.
- (2)
  - (a) A land use authority shall require an applicant to complete a required landscaping or infrastructure improvement prior to any plat recordation or development activity.
  - (b) Subsection (2)(a) does not apply if:
    - (i) upon the applicant's request, the land use authority has authorized the applicant to post an improvement completion assurance in a manner that is consistent with local ordinance; and
    - (ii) the land use authority has established a system for the partial release of the improvement completion assurance as portions of required improvements are completed and accepted.
- (3) At any time up to the land use authority's acceptance of a landscaping or infrastructure improvement, and for the duration of each improvement warranty period, the land use authority may require the developer to:
  - (a) execute an improvement warranty for the improvement warranty period; and
  - (b) post a cash deposit, surety bond, letter of credit, or other similar security, as required by the county, in the amount of up to 10% of the lesser of the:
    - (i) engineer's original estimated cost of completion; or
    - (ii) applicant's reasonable proven cost of completion.